

STATEMENT OF BASIS (AI No. 121150)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0122192 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Gerald Alleman Turtle Farm
3714 HWY 70
Pierre Part, LA 70339

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Molly McKean

DATE PREPARED: April 27, 2007

1. PERMIT STATUS**A. Reason For Permit Action:**

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A

C. LPDES permits -
LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: January 29, 2007

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - Turtle Farm**

This facility raises turtles for export outside of the U.S. Baby turtles are caught, tested for disease, and sold to brokers. The discharge from this facility consists of overflow from the turtle ponds. The discharge is intermittent and usually only occurs during periods of heavy rainfall.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: II
4. SIC code: 0279

C. LOCATION - 3714 HWY 70, Pierre Part, Assumption Parish
Latitude 29 57' 57", Longitude 91 12' 23"

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3. **OUTFALL INFORMATION**

Outfall 001*

Discharge Type: overflow of turtle farm ponds

Treatment: none

Location: at the point of discharge from the overflow pipe prior to mixing with any other waters

Flow: intermittent

Discharge Route: into Pierre Pass via an unnamed canal

*This information is based on compliance order WE-C-04-0690 and past LDEQ inspections. The facility maintains that it does not discharge, but has acknowledged that the overflow pipe photographed in the March 26, 2004 inspection does still exist.

1. **RECEIVING WATERS**

STREAM - Pierre Pass via an unnamed canal

BASIN AND SEGMENT - Terrebonne Basin, Segment 120204

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife

5. **TMDL STATUS**

Subsegment 120204, Lake Verret and Grassy Lake, is listed on LDEQ's Final 2004 303(d) List as impaired for Organic Enrichment/Low DO (EPA-Category 5) and Nutrients (EPA-Category 5). To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL.

Based on evaluation of the facility operations, it was determined that this facility has the potential to discharge pollutants which may contribute to the organic enrichment/low DO impairment and the nutrient impairment of the receiving waterbody. A CBOD₅ limitation and an Ammonia-N limitation have been applied to this discharge. Due to the small size and intermittent nature of the discharge, additional nutrient monitoring requirements have not been imposed at this time. Compliance with the CBOD₅ and NH₃-N limitation should address nutrient concerns.

6. **PROPOSED EFFLUENT LIMITS**

BASIS - See Rationale below.

7. **COMPLIANCE HISTORY/COMMENTS**

A. **WQMD -**

1. March 26, 2004 - An inspection was conducted in response to a citizen complaint. A discharge from one of the two turtle ponds was observed going into the adjacent bayou. The facility was not permitted.
2. July 19, 2004 - Compliance Order WE-C-04-0690 was issued to Gerald Alleman in response to the inspection. The facility was ordered to apply for a permit and given

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interim limits. A hearing was requested and granted. The matter has not been resolved to date.

B. DMR Review/Excursions –

This is an initial permit. To date, no DMRs have been submitted. While interim limits were developed for Compliance Order WE-C-04-0690, a hearing was granted which suspended the order. The application states that the ponds have not discharged since 2004.

8. EXISTING EFFLUENT LIMITS

This is an initial permit.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 120204 of the Terrebonne Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Gerald Alleman Turtle Farm

1. **Outfall 001** - overflow of turtle farm ponds (estimated flow is variable)

Parameter	Concentration Limitations (mg/l unless stated)		Reference
	Monthly Avg.	Daily Max	
Flow	---	Report	LAC 33:IX.2707.I.1.b
CBOD ₅	---	40	LAC33:IX.5907.C, LAC33:IX.711.C, BPJ
TSS	---	135	LAC33:IX.5907.C, LAC33:IX.711.D, BPJ
Fecal Coliforms	---	400 cfu	LAC33:IX.1113.C, BPJ
Ammonia (as N)	---	30	Similar permitted discharges, BPJ
pH	6.0 su Min	9.0 su Max	LAC33:IX.1113.C, BPJ

Treatment: None

Monitoring Frequency: monthly

Limits Justification:

CBOD₅ and TSS limits are based on secondary treatment standards in LAC 33:IX.711 and limits for similar discharges*. CBOD₅ is used because this wastewater is expected to have a higher level of ammonia-N. Fecal Coliform and pH limits are based on numerical criteria specified in LAC 33:IX.1113.C. The Ammonia-Nitrogen limit is based on LDEQ requirements for similar discharges*. It has been included to prevent ammonia toxicity in the receiving stream.

* washwater from houses at alligator farms

BPJ Best Professional Judgement
 su Standard Units

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 0279 are not considered to be associated with industrial activities. Therefore, an SWP3 is not included in the permit.